

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOGAN QUINN SANDAU,

Defendant.

CR-12-66-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 7, 2017. (Doc. 71.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on July 25, 2017. (Doc. 71 at 3.) Sandau admitted that he violated the conditions of his supervised release. Sandau violated the conditions of his supervised released by (1) submitting a urine sample that tested positive for opiates; (2) failing to report for substance abuse

testing on multiple occasions; and (3) failing to report for substance abuse treatment. (Doc. 71 at 5.) The violations prove serious and warrant revocation of Denny's supervised release. Judge Johnston has recommended that the Court revoke Sandau's supervised release and commit Sandau to the custody of the Bureau of Prisons for five months. (Doc. 71 at 5.) Judge Johnston further has recommended that 27 months of supervised release follow his custody period. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Sandau's violations of his conditions represent a serious breach of the Court's trust. A sentence custody of five months, followed by 27 months supervised release, represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 71) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Logan Quinn Sandau be sentenced to custody for five months, followed by 27 months of supervised release, on each count, to run concurrently.

DATED this 23rd day of August, 2017.



Brian Morris
United States District Court Judge